

Decision 03-05-073 May 22, 2003

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Ventura County Shuttle, Inc. dba
Ventura County Airporter, operating under
authority granted by Decision D.93-09-032, to
revise a Zone of Rate Freedom, granted by
Decision 99-09-004, for its tariff rates.

Application 02-12-038
(Filed December 27, 2002)

O P I N I O N

Summary

This decision grants the application of Ventura County Shuttle, Inc. (Applicant), a corporation, to expand its zone of rate freedom (ZORF) pursuant to Pub. Util. Code § 454.2.

Discussion

Applicant is authorized by Decision (D.) 93-09-032 to operate as a scheduled passenger stage corporation (PSC-6291) to transport passengers and their baggage between Ventura and Oxnard, on the one hand, and Los Angeles International Airport (LAX), on the other hand. Applicant was authorized by D.90-09-004 to establish a ZORF of \$10 above and \$5 below its one-way adult fare of \$20. Applicant's fares are published in its tariff Cal. PUC No. 1, on file with the Commission. Its current one-way adult fare of \$30 is at the top end of the ZORF.

This application, as amended by letter of April 2, 2003, requests authority to expand the ZORF to \$15 above and \$5 below the \$20 base fare. Applicant states that an additional \$5 on the upside of the ZORF will enable it to respond

quickly to changing market conditions and to maintain operating ratios necessary to sustain efficient and safe operations.

Applicant will compete with other PSCs, taxicabs, limousines, buses, and automobiles in its service area. This highly competitive environment should result in Applicant pricing its services at a reasonable level. Many other PSCs have been granted ZORFs. The requested ZORF is generally consistent with the ZORFs held by other PSCs.

Notice of filing of the application appeared in the Commission's Daily Calendar on December 31, 2002. Applicant served a notice of the application upon the Cities of Ventura and Oxnard, and LAX.

In Resolution ALJ 176-3105 dated January 16, 2003, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3105.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. Applicant is currently authorized to operate as a scheduled passenger stage corporation between Ventura and Oxnard, on the one hand, and LAX, on the other hand.

2. The application, as amended, requests authority to expand Applicant's ZORF to \$15 above and \$5 below its base fare of \$20.

3. Applicant will compete with PSCs, taxicabs, limousines, buses, and automobiles in its operations. The ZORF is fair and reasonable.
4. No protest to the application has been filed.
5. A public hearing is not necessary.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application, as amended by letter of April 2, 2003, should be granted.
2. Before Applicant changes any fares under the ZORF authorized below, Applicant should give this Commission at least ten days' notice. The tariff should show the high and low ends of the ZORF and the then currently effective fare between each pair of service points.
3. Since the matter is uncontested, the decision should be effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. Ventura County Shuttle, Inc. (Applicant), a corporation, is authorized under Pub. Util. Code § 454.2 to expand its zone of rate freedom (ZORF) to \$15 above and \$5 below the base fare of \$20 published in its tariff Cal. PUC No. 1, filed with the Commission.
2. Applicant shall file a ZORF tariff in accordance with the application on not less than ten days' notice to the Commission and to the public. The ZORF shall expire unless exercised within 120 days after the effective date of this order.
3. Applicant may make changes within the ZORF by filing amended tariffs on not less than ten days' notice to the Commission and to the public. The tariff

shall include the authorized maximum and minimum fares and the fare to be charged between each pair of service points.

4. In addition to posting and filing tariffs, Applicant shall post notices explaining fare changes in its terminals and passenger-carrying vehicles. Such notices shall be posted at least ten days before the effective date of the fare changes and shall remain posted for at least 30 days.

5. The Application, as amended by letter of April 2, 2003, is granted as set forth above.

6. This proceeding is closed.

This order is effective today.

Dated May 22, 2003, at San Francisco, California.

MICHAEL R. PEEVEY

President

CARL W. WOOD

LORETTA M. LYNCH

GEOFFREY F. BROWN

SUSAN P. KENNEDY

Commissioners